

NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

AF 3751/88

#17
Notice of
Appeal

2-27-03
M.F.B.

Applicant: Smith

Group Art Unit: 3751

Serial No.: 09/510,087

Examiner: D. Walczak

Filed: October 26, 2001

Attorney Case No.: EVS-P-99-017

Invention: "A MARKING DEVICE, A METHOD OF USING THE SAME AND AN
ACCESSORY KIT FOR THE MARKING DEVICE"

Asst. Commissioner for Patents
Washington, D.C. 20231

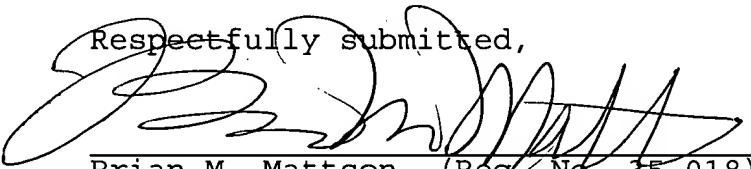
SIR:

Applicant hereby appeals to the Board of Patent Appeals and
Interferences from the Final Rejection dated August 13, 2002 in
which the Examiner finally rejected Claims 1-9, 11 and 14-19.

Enclosed herewith is a check in the amount of \$160.00, the
requisite fee for filing this Notice.

Any deficiency or overpayment should be charged or credited to
Deposit Account No. 50-0595. **A duplicate of this Notice is enclosed
for this purpose.**

Respectfully submitted,


Brian M. Mattson (Reg. No. 35,018)
PATENTS+TMS
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ATTORNEY FOR APPLICANT

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TECHNOLOGY CENTER R3700

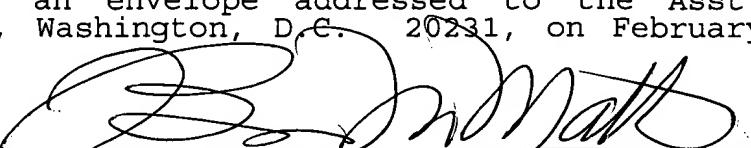
CERTIFICATE OF MAILING

I hereby certify that this **NOTICE OF APPEAL** and **check for
\$160.00** are being deposited with the United States Postal Service
as First Class Mail in an envelope addressed to the Asst.
Commissioner for Patents, Washington, D.C. 20231, on February
11, 2003.

02/20/2003 BNNGUYEN1 00000068 09510087

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160.00 OP


Brian M. Mattson (Reg. No. 35,018)